

TRANSCRIPT OF PROCEEDINGS

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FCC MAIL ROOM

In the Matter of:)
)
RONALD BRASHER, Licensee of)
Private Land Mobile Stations)
WPLQ202, KCG967, WPLD495, WPKH771,)
WPK1739, WPK1733, WPK1707, WIL990,) EB Docket No. 00-156
WPLQ475, WPLY658, WPKY903, WPKY901,)
WPLZ533, WPK1762 and WPDU262,)
Dallas/Fort Worth, Texas, et al.)

Deposition of: Thomas Lewis

Pages: 1 through 34

Place: Dallas, Texas

Date: December 1, 2000

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Private Land Mobile Stations
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WPLQ475, WPLY658, WPKY903, WPKY901,
WPLZ533, WPK1762 and WPDU262,
Dallas/Fort Worth, Texas, et al.

) EB Docket No. 00-156

Deposition of:

THOMAS LEWIS,

a witness of lawful age, taken on behalf of the Federal Communications Commission, pursuant to recess, at Room 115, Abrams Centre Building, 9330 LBJ Freeway, Dallas, Texas, on December 1, 2000, at 2:45 p.m., before Joseph V. Gillis, Notary Public in and for the State of Texas, when were present:

APPEARANCES :

On behalf of the Federal Communications Commission:

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Investigations and Hearings Division
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445 12th Street, SW, Room 3-C408
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WILLIAM KNOWLES-KELLETT
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I N D E X

WITNESS	PAGE
Thomas Lewis	
Examination	3

1 P R O C E E D I N G S

2 Whereupon,

3 THOMAS R. LEWIS,

4 having been first duly sworn, was called as a witness

5 herein and was examined and testified as follows:

6 THE REPORTER: Would you state your name for the
7 record, please?

8 THE WITNESS: Thomas R. Lewis.

9 MR. KNOWLES-KELLETT: Good afternoon, Mr.
10 Lewis. My name's Bill Knowles-Kellett, and I'm an
11 attorney with the Federal Communications Commission. My
12 office is in Gettysburg, Pennsylvania, but I basically
13 work out of the Washington, DC, headquarters office.

14 EXAMINATION

15 BY MR. KNOWLES-KELLETT:

16 Q We have a matter pending regarding the radio
17 license of Mr. Ronald Brasher, and DLB Enterprises, et al,
18 and you're here today pursuant to a subpoena in this case.
19 Is that --

20 A That's correct.

21 Q And the subpoena that we issued was for
22 yesterday but at the convenience of everybody because
23 things were running over yesterday you and I spoke on the
24 phone and then I faxed you confirmation that we had all
25 agreed that you would be today at three o'clock. Is that

1 correct?

2 A Correct.

3 Q But you still understand that you're testifying
4 pursuant to that subpoena?

5 A Right.

6 Q Okay. Have you ever been deposed before?

7 A No, I haven't.

8 Q Okay. Let me explain what's going on. In the
9 matter there will be -- there may be if it doesn't settle
10 a hearing down the way. Nothing sure but death and taxes
11 but the idea is we're preparing for a hearing down the way
12 where witnesses would be called to testify.

13 Prior to the hearing we do what's called
14 discovery, where we try to find out what was going on at
15 the company and ask potential witnesses their knowledge
16 about things going on at the company, things at issue. Do
17 you understand all of that?

18 A Right.

19 Q So as part of that discovery what we do is we
20 ask you questions in this deposition. This gentleman
21 takes down -- records everything and it will be
22 transcribed and it will have what the question was and
23 what your answer is.

24 Do you understand that?

25 A Right.

1 Q You will have a chance to read that and make
2 any corrections necessary. Okay?

3 A Okay.

4 Q Now, the corrections -- you're generally hoping
5 for corrections that are errors in the transcription, but
6 you'll also be able to tell us, Well, it's not an error in
7 the transcription, but I made a mistake. I got the date
8 wrong and I realized it the second I walked out the door,
9 so you don't have to be nervous about any of your answers.

10 A Okay.

11 Q Now, because it's being transcribed we have to
12 talk separately and we have to give verbal responses. You
13 can't say this one because it doesn't -- afterwards this
14 one doesn't indicate the paper right in front of you or
15 whatever. You have to say this letter dated September 21
16 and you have to say yes or no, not, Uh-huh or Huh-uh, and
17 nods.

18 A Right.

19 Q Is all that clear to you?

20 A Right.

21 Q Now --

22 MS. LANCASTER: I'm sorry to interrupt.

23 (Discussion was held off the record.)

24 MR. KNOWLES-KELLETT: Okay.

25 BY MR. KNOWLES-KELLETT:

1 Q Today I'll be asking you questions and there
2 will be some questions where you don't know a precise
3 answer. If I ask you when you were employed at a
4 particular company you may not know that it was April 15,
5 1987 to November 17, 1989, but you might know that it's
6 like '87 to '89. Do you understand that?

7 A Right.

8 Q Okay. We call that -- what I'm asking for is
9 your best estimate as to answers, and you can indicate the
10 quality of your answer. You can say that as well I can
11 remember it was in 1995. What I don't want you to do is
12 guess.

13 A Okay.

14 Q And we also use the word speculate. Now if I
15 ask you how big my -- what kind of car I drive or how big
16 my desk is back in Pennsylvania, that would be a guess or
17 a speculation. If I ask you how much you paid for
18 something ten years ago and you don't remember but you can
19 give me a ballpark that said I paid between five and nine
20 grand but I don't remember, that's what I'm asking for,
21 your best estimate.

22 Do you understand that?

23 A Okay.

24 Q Where are you employed?

25 A Metroplex Two-Way Radio.

1 Q And how long have you been employed at
2 Metroplex?

3 A going on six years.

4 Q So that means you were hired in '94 or '95?

5 A '94. I believe it was in February the 20th.

6 Q And do you recognize the name DLB Enterprises,
7 Inc.?

8 A Do I recognize what?

9 Q The name DLB Enterprises, Inc.?

10 A Yes. That's the company --

11 Q That's the corporate name for Metroplex?

12 A Right.

13 Q Okay. What are your duties at Metroplex?

14 A I work for -- I service DART vehicles all
15 around Dallas. I've got about six stops, work on handy
16 rides and big buses -- the radio equipment in these buses.

17 Q So your work is on the one particular contract
18 that Metroplex has?

19 A Yes. I'm not at Metroplex. I pick up a
20 vehicle and leave and come back in the afternoon.

21 Q Okay.

22 A I don't work at Metroplex.

23 Q And you have a very specific set of tasks that
24 are defined?

25 A Sir?

1 Q Do you -- are you essentially your own boss
2 with respect to --

3 A Right.

4 Q -- the contract?

5 A Right.

6 Q And you just tell the people at Metroplex what
7 you need to keep DART up and running?

8 A Right.

9 Q Who's your supervisor at Metroplex?

10 A Keith Krohn.

11 Q Okay. And he's the service manager?

12 A Yes.

13 Q You're related to Patricia Brasher. Is that
14 correct?

15 A That's my sister.

16 Q And Carolyn Lutz?

17 A That's my sister.

18 Q So this is really a family operation?

19 A Oh, yes it is.

20 Q Are you employed full time at Metroplex?

21 A Yes, I am.

22 Q How many hours a week do you work?

23 A Forty hours a week.

24 Q Are you familiar with the repeater service at
25 Metroplex?

1 A I don't work on the repeaters.

2 Q Are you familiar with it?

3 A No, I'm not.

4 Q Would you know what sites the repeaters are at?

5 A No, I wouldn't. I've never been at that end.

6 Q Okay. Are you aware that Metroplex manages

7 stations for others?

8 A No. I'm not. I thought they was managing it

9 for theirselves.

10 Q Did you know that Carolyn Lutz has an FCC

11 license?

12 A Yes, I did.

13 Q Did you know that DLB Metroplex operates that

14 station?

15 A Yes.

16 Q But you thought -- it's your understanding that

17 they operated it for DLB Metroplex?

18 A Yes.

19 Q Were you aware that Norma Sumpter has a

20 license?

21 A I've heard the rumor. I didn't know for a

22 fact. She never told me she had one.

23 Q Okay. Who did you hear it from?

24 A Just from the list that I got from the paper.

25 I figured everybody was involved at the list --

1 Q How about Jim Sumpter? Have you ever had
2 discussions with him regarding his license?

3 A No, I haven't.

4 Q Have you ever had any discussions with anybody
5 regarding Jim Sumpter's license?

6 A No, I haven't.

7 Q How about Jennifer Hill?

8 A No, I haven't.

9 Q Now, these people -- Jennifer Hill is your
10 niece. Is that correct?

11 A Yes.

12 Q And Jim Sumpter is your brother in law?

13 A Right.

14 Q And Norma is your sister?

15 A Right.

16 Q And Melissa Sumpter -- have you ever had
17 discussions with her about her --

18 A No, I have not.

19 Q Were you aware that they had licenses?

20 A Well, I heard the rumor. That's what I'm going
21 by.

22 Q Do you hold any FCC licenses?

23 A Yes, I do.

24 Q Okay. Can you describe the circumstances under
25 which you came to hold an FCC license?

1 A My sister and brother in law asked me to sign
2 for a license for them.

3 Q Okay.

4 A And they told me I could have one in my two
5 vehicles. I've got a radio in each one of my vehicles
6 operating on that frequency, I think. I don't know for
7 sure whether -- I've got radios in each one of my cars.

8 Q And it's my -- let me see if I can characterize
9 that properly just to confirm that I understand it. You
10 sign for a license and your understanding is that covers
11 the two radios in your truck but you're not absolutely
12 sure that they're the same frequency?

13 A Well, I don't know. I don't know that for a
14 fact.

15 Q When you operate the radio you don't know which
16 frequency you're operating on?

17 A No, I don't.

18 Q So you're not a radio guru --

19 A No.

20 Q -- like some of the other people around your
21 office?

22 A No.

23 Q Okay.

24 A That's done with computers and frequencies.

25 Q So if Ron Brasher told you it was your license

1 you were operating on you'd believe him --

2 A I don't know that.

3 Q -- and if he told you the other way --

4 A I do not know that. I can't answer that.

5 Q Okay.

6 MR. KNOWLES-KELLETT: I'd like to mark this as
7 Thomas Lewis whatever the next number is.

8 BY MR. KNOWLES-KELLETT:

9 Q Okay. I'm going to show you what's been marked
10 as Thomas Lewis Exhibit 39 and ask you to take one moment
11 to review it.

12 VOICE: What is it it was marked, counsel?

13 MR. KNOWLES-KELLETT: Thirty-nine.

14 BY MR. KNOWLES-KELLETT:

15 Q My first question is, is that your signature on
16 the front page?

17 A (Perusing documents.) It appears it is.

18 Q Do you recollect -- remember signing it?

19 A No. I don't remember it, but I guess I did.

20 Q This would have been at the end of the summer.

21 A August 21?

22 Q Shortly before -- this is dated as received by
23 FCC on August 21, and this front page would have come in
24 with a fee to renew the license, I believe. That's -- I'm
25 just -- I don't know that specifically, but I don't -- you

1 don't have any specific recollection as to that being your
2 signature, but it appears to be?

3 A It looks like my signature, but all I know is I
4 don't even know this -- the address is wrong on this. The
5 Route 2, Box 111D3 has been changed. I don't use --

6 Q When was it changed?

7 A It was changed back last year.

8 Q Okay. When you obtain -- when you receive
9 correspondence related to this license what do you do with
10 the correspondence?

11 A I give them to -- bring them up here and give
12 them to Ronald.

13 Q And then if it needs to be replied to do you
14 prepare the response?

15 A No, I don't.

16 Q Who would prepare the response?

17 A I guess Ronald does, because I don't.

18 Q And would he or somebody in your office ask you
19 to sign the response if necessary?

20 A Who?

21 Q Would Ronald Brasher or somebody else at the
22 office ask you to sign the response if necessary --

23 A Ron would.

24 Q So if you signed this it's because he put it in
25 front of you and said, Please sign this --

1 A Yes.

2 Q -- it relates to your license?

3 A There is my canceled check.

4 Q Did you write that check?

5 A Yes, I did.

6 Q And that's on your checking account?

7 A Yes.

8 Q And that still has the old address on it?

9 A Yes.

10 Q Would you have paid that fee? Did it come out
11 of your pocket?

12 A No, I didn't. Ronald gave me \$110 cash.

13 Q And on the third -- we're referring to the
14 fourth page of the document -- on the third page of the
15 document --

16 A Third page?

17 Q Uh-huh. Is that your signature?

18 A (Perusing documents.) It looks like my
19 signature.

20 Q Can your sister, Carolyn, sign your signature
21 as well as you can?

22 A No. She don't sign my signature.

23 Q There's been testimony that she can do
24 Patricia's as well as Patricia --

25 A I don't know that.

1 Q -- such that it would fool most people,
2 including her husband, with Patricia's permission. That's
3 why I asked the question. It might have seemed a little
4 bizarre.

5 This looks like your signature but you don't
6 recollect --

7 A Well --

8 Q -- and you don't remember in August 2000
9 signing this?

10 A I wrote the check. I did write the check.

11 Q Okay.

12 A And I probably signed the paper but I -- he
13 said, Sign this. This is a renewal for your license.

14 Q You remember writing the check and getting \$110
15 back from him --

16 A Right.

17 Q -- and you have no reason to believe that it
18 wasn't on August 11, 2000?

19 A No. I didn't think it was that long ago.

20 Q Okay.

21 A Maybe it was because August is not too far.

22 Q Right.

23 A It's only about what, two and a half months?
24 That's about right.

25 Q Looking at page 2 of the license, do you

1 remember receiving a license that looked like this or
2 substantially like this?

3 A (Perusing documents.) I don't pay any
4 attention to these license. It don't mean anything to me.

5 Q So if it came in the mail --

6 A It came in the mail, I see what it is, and I
7 bring it up here and give it to Ronald.

8 Q Do you see on the second page of the license
9 that the license is for 30 mobile units? I draw your
10 attention to the field of data below your address, station
11 technical specifications, the second line under
12 frequencies indicates that's the mobile's frequency, 30
13 mobiles authorized.

14 A Right here?

15 Q Right. Do you know anything about that?

16 A No, I don't.

17 Q So as far as you know there are two -- operated
18 by you there are two trucks operating?

19 A Two trucks?

20 Q Two mobile units. Two radios.

21 A Yes. Two mobile units.

22 Q Do you have a radio at your house also?

23 A No, I don't.

24 Q Okay.

25 A I got a portable I can get into on my same

1 frequency. It's in my car.

2 Q So you have three radios in total?

3 A Yes. Well, I use it on my job too because I
4 work on handy rides and they've got the same kind of
5 radio, so --

6 Q Okay.

7 A -- I use it both ways.

8 Q Is there anyone else that you know of that
9 would work with you using those frequencies?

10 A Work with me?

11 Q Yes.

12 A Well, we -- everybody in the company's got one
13 of the radios in their car. I'm not the only one that's
14 got a radio in my car.

15 Q How about anybody who would work in connection
16 with your wrecking service, your two trucks?

17 A I don't own a tow truck. I own a trailer.

18 Q A rollback?

19 A A 20-foot gooseneck.

20 Q Okay. So it functions --

21 A Yes.

22 Q -- like a rollback?

23 A Yes. It -- I load cars up on it. Got a winch.

24 Q And what's your other truck? You have two
25 mobiles mounted in a truck.

1 A The one -- the other mobile's in a car.

2 Q So you only have the two radios?

3 A Yes.

4 Q Okay. Did you bring documents with you

5 pursuant to the subpoena?

6 A What are you asking for?

7 Q I'm just asking did you bring any documents --

8 A No.

9 Q -- to begin with. Did you bring tax returns?

10 A Yes, I did.

11 Q That's what I mean by documents.

12 MR. KNOWLES-KELLETT: Can we go off the record?

13 (Discussion was held off the record.)

14 MR. KNOWLES-KELLETT: Back on the record.

15 BY MR. KNOWLES-KELLETT:

16 Q Okay, Mr. Lewis, just a couple more questions.

17 One, on this radio license -- your radios in your trucks

18 work off a repeater. Is that correct?

19 A Right.

20 Q You understand that?

21 A Yes.

22 Q Did you have anything to do with installing the

23 repeater?

24 A No, I didn't.

25 Q Did you pay for that repeater?

1 A No, I didn't.

2 Q Do you know who installed and paid for the
3 repeater you operate off of?

4 A I figured Ronald and Patsy did.

5 Q So either the Brashers paid for it themselves
6 or DLB Metroplex did?

7 A Right.

8 Q Do you have the knowledge as to whether it was
9 DLB or Brashers?

10 A No, I don't.

11 Q Do you have a business license for your
12 wrecking service?

13 A No, I don't.

14 Q Is one necessary?

15 A I just haul for myself and for friends and
16 stuff like that.

17 Q So do people pay you to haul --

18 A No.

19 Q Okay. How do they know to call you to haul for
20 them?

21 A Well, if they're stranded I'll go pick them up.

22 Q So when this license says DBA Lewis Wrecking
23 Service, is there really a DBA Lewis Wrecking Service?

24 A No.

25 Q So you do hauling but you don't really have a

1 business?

2 A No. I was thinking about getting into it but I
3 didn't.

4 Q Were you ever told that in return for getting
5 this license you got the use of the radios in your
6 trucks -- your truck and your car?

7 A Well, that was mentioned here recently.

8 Q Only in conjunction with this litigation were
9 you told that that was the deal?

10 A Right.

11 Q Prior to that did you ever ask?

12 A No. I done it for my sister and brother. They
13 asked me to sign for them and I signed for them, and they
14 give me a job. See, I'd been off -- I'd worked 23 years
15 with Central Freight Lines and they terminated me for a
16 bad back.

17 Q Uh-huh.

18 A So I was off two or three years and my sister
19 give me a job.

20 Q And then when they asked you to sign for the
21 license --

22 A Yes.

23 Q -- you just did it?

24 A It would benefit the company and I worked for
25 the company so I did it.

1 Q So your understanding of this license is it's
2 for the benefit of the company?

3 A Right.

4 Q And not particularly for the benefit of Lewis
5 Wrecking Service?

6 A Right.

7 Q Did you pay any of the expenses with respect to
8 this license?

9 A Just the \$110.

10 Q And then --

11 A I didn't pay it. He gave me the money and I
12 wrote the check.

13 Q Okay. On previous expenses paid to the FCC did
14 Ron pay those expenses?

15 A What are you talking about?

16 Q This was a renewal of your radio license --

17 A Yes. This was a renewal and when I signed it
18 this time I told them out of my name.

19 Q Previously had the money been in his name on
20 previous applications?

21 A Right.

22 Q So it would be a Brasher check or a DLB check?

23 A As far as I know. I don't remember signing the
24 first check.

25 Q Do you remember signing the first license

1 application?

2 A Yes, sir. I signed the first license
3 application, but I don't think I wrote the first check.

4 Q Was the application prepared by somebody
5 else --

6 A Yes.

7 Q -- and then presented to you for your
8 signature?

9 A Right.

10 Q Did they discuss with you where the station
11 would be?

12 A No.

13 Q Did they discuss with you who would build this
14 station?

15 A No.

16 Q Was it understood who would build the station?

17 A I didn't really care. I don't know where it
18 was built. I just got in for it to help them out.

19 Q So did you care if it was built?

20 A No.

21 Q Okay. Would they have given you radios for
22 your truck and car whether or not you signed this?

23 A Well, I --

24 MR. ROMNEY: Objection. Calls for speculation
25 on the part of the witness.

1 BY MR. KNOWLES-KELLETT:

2 Q Only answer if you know.

3 A I don't know.

4 Q Okay. Did they give it to other employees?

5 A Yes, they did.

6 Q Do you know of other employees who signed
7 license applications?

8 A I don't know.

9 Q Who are the other employees they gave radios
10 to?

11 A Everybody up there I believe's got a radio in
12 their car.

13 Q Who is everybody up there?

14 A Well, Tom -- I don't know his last name.
15 John's -- I think John's got hand helds.

16 Q That's John Lucas?

17 A Yes. John Lucas. And --

18 Q Tom Armstrong?

19 A Tom Armstrong's got one and I wouldn't swear
20 but I think Ed may have one. I --

21 Q What's Ed's last name?

22 A I don't know.

23 Q Okay.

24 A I think Keith Krohn has got one in his truck or
25 car, and Sue had one in her car and --

1 Q By Sue you mean your sister, Carolyn Lutz?

2 A Yes.

3 Q Lutz.

4 A The people that used to work for Metroplex Four

5 had radios.

6 Q Who are they?

7 A Ken Simonex and I think his wife had one in her

8 car too.

9 Q Did she work for Metroplex?

10 A No, she didn't.

11 Q She was just given a complimentary by

12 Metroplex?

13 A Right.

14 Q Do you know if they had a license?

15 A No, I don't.

16 Q Do you know where the station associated with

17 your license is located?

18 A I think Plano. I wouldn't swear to it.

19 Q Have you ever been there?

20 A No.

21 Q So I can take it you've never repaired or there

22 would be --

23 A No. I do not repair repeaters.

24 Q You wouldn't have a combination to the door

25 where a repeater is located?

1 A No, sir.

2 Q You wouldn't know how to repair the repeater --

3 A No, sir.

4 Q Would you know how to turn off the repeater?

5 A No, sir, I wouldn't.

6 Q When they approached you about applying for

7 this license do you recall the discussions you had with

8 them?

9 A When I was approached with what --

10 Q About initially -- the first time you applied

11 for this license.

12 A I think I was in Ronald and Patsy's house.

13 Q And what did they say to you?

14 A They asked me if I'd sign for a license for

15 them, for a 900 system.

16 Q Did they say anything else about it?

17 A Well, I asked Patsy, You can get in trouble

18 over this, can't you, and she said, No. Everybody does

19 it.

20 Q Did they say anything further about it?

21 A No.

22 Q At that point you signed for it?

23 A Yes.

24 Q Were you aware that there was a licensed issued

25 in the name of O.C. Brasher?

1 A I've heard that rumor.

2 Q Do you know who you heard the rumor from?

3 A My sister, Sue.

4 Q And when did you hear the rumor?

5 A It was back when all this started.

6 Q In conjunction with this litigation? And did

7 you know there was a license issued in the name of Ruth I.

8 Bearden?

9 A Who?

10 Q Ruth Bearden.

11 A No, I didn't.

12 Q you don't know who Ruth Bearden is?

13 A No.

14 Q Would you -- if I told you she was O.C.'s wife,

15 Ruth Bearden Brasher, would you know who that was?

16 A I know Ms. Brasher.

17 Q Okay.

18 A I knew of her. I hadn't seen her in -- I think

19 she died in '91, wasn't it, or something like that?

20 Q Prior to her death you knew her?

21 A Yes.

22 Q Did you know her as Ruth Brasher?

23 A Brasher, yes.

24 Q Ruth Brasher. Let the record -- whenever I

25 mispronounce the name -- the trouble is we just saw it on

1 paper for a long time there before ever meeting you folks.
2 It looks like Brasher to us, so the pronunciations won't
3 come out on the record, but I intend them all to be the
4 same name.

5 A Okay.

6 Q Did anybody discuss with you -- have you
7 discussed this case with Mr. Brasher?

8 A Have I?

9 Q Yes.

10 A No, I haven't.

11 Q Did anybody discuss with you what your
12 testimony would be here today?

13 A Did anybody discuss?

14 Q Yes.

15 A No.

16 Q Did you discuss the fact that you were going to
17 come here today with anybody?

18 A Oh, yes.

19 Q Who did you discuss it with?

20 A My wife and my sister in law and --

21 Q By your sister --

22 A -- and well, everybody in the office knows it
23 because all of the confusion over yesterday.

24 Q Were there any substantive discussions --

25 A No. Nothing. I don't talk about this.

1 Q Okay.

2 A This is supposed to be family, you know?

3 Q Has anybody discussed with you what prior
4 testimony has been given in depositions?

5 A No.

6 Q Okay.

7 MR. KNOWLES-KELLETT: No further questions.

8 THE WITNESS: Okay.

9 BY MR. ROMNEY:

10 Q Mr. Lewis, I have a few questions. My name is
11 Mark Romney. I represent DLB Enterprises in this matter.

12 Do you have this exhibit in front of you, sir?

13 Do you have before you what's been marked as Exhibit

14 Number -- is it 37? Thirty-nine? Thirty-nine.

15 A Yes, 39.

16 Q Do you recall where you were when you signed
17 this document, sir?

18 A This would be the time I wrote this check I was
19 at Ronald's office.

20 Q And you had your checkbook there?

21 A Yes.

22 Q Was anybody else in Ronald's office at the
23 time?

24 A No. Just me and Ronald.

25 Q Just you and Ronald? At the time you signed up

1 for the first application, the original of this particular
2 license, you were -- that was at Ron and Patsy's house?

3 A Yes.

4 Q Was there anybody else there besides you and
5 Ron and Patsy?

6 A No. I don't think so.

7 Q Do you recall the things that happened in this
8 meeting when you signed this document Exhibit Number 39?

9 A Did I recall?

10 Q Do you recall today as you sit here?

11 A Yes.

12 Q Tell us what happened generally.

13 A About what?

14 Q The meeting. Did Ron call you into the office,
15 or was this a special meeting that you had with him, or
16 just in passing?

17 A When I signed this?

18 Q Yes, sir.

19 A He called me into his office and said I needed
20 to sign these licenses and, Write me a check and I'll give
21 you \$110.

22 Q And where did he get the 110, did you see?

23 A He got it out of his pocket.

24 Q What was it? What form was it?

25 A I think it was five twenties and a ten.

1 Q And you wrote this check and this check cleared
2 your account?

3 A Yes.

4 Q Mr. Lewis, in this matter do you believe that
5 the FCC is trying to take away this license that's showed
6 on Exhibit Number 39 --

7 A I don't really care if they take them away or
8 not.

9 Q But do you understand that?

10 A Yes. I understand that.

11 MS. LANCASTER: I object. Understand what?
12 There's no indication --

13 MR. ROMNEY: That the FCC is trying to take
14 away this license?

15 THE WITNESS: Yes.

16 MS. LANCASTER: I object. That is not in
17 evidence that we are trying to take away Mr. Lewis' --

18 MR. ROMNEY: I'm asking the witness's
19 understanding. You can ask all the questions you want --

20 MS. LANCASTER: There is no evidence of that,
21 so I just want to make sure that's clear.

22 MR. ROMNEY: Thank you for your testimony,
23 Counsel.

24 BY MR. ROMNEY:

25 Q Is it your understanding as you sit here today,

1 sir, that the FCC is trying to take away this license?

2 A No. I don't know if they're trying to take it
3 away or not. All they've done is ask me if I signed it
4 and I signed it.

5 Q Did you have any discussions with anybody from
6 the FCC before today?

7 A No.

8 Q Did you send any documents to anybody at the
9 FCC before today?

10 A No.

11 MR. ROMNEY: I'll pass the witness.

12 BY MR. KNOWLES-KELLETT:

13 Q Just to clarify something he was asking about,
14 when you had this meeting with Ron regarding renewing this
15 license was it your idea or Ron's idea that you write the
16 check for \$110?

17 A It was his idea.

18 Q Did he say why?

19 A He said it should be with my address on it
20 since I was writing the -- since I was re-signing for the
21 license.

22 Q Had he ever mentioned anything like that when
23 you applied for previous licenses?

24 A No.

25 MR. KNOWLES-KELLETT: No further questions.

1 MR. ROMNEY: Nothing further.

2 MR. KNOWLES-KELLETT: Thank you, Mr. Lewis.

3 Off the record.

4 (Whereupon, at 3:35 p.m., the deposition was
5 concluded.)

6 I have read the foregoing pages 1 through 32,
7 and they are a true and accurate record of my
8 testimony therein recorded.

9

10

11

Thomas R. Lewis

12

Thomas R. Lewis

13

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15 Subscribed and sworn to before me

16 this 13th day of February, 2001

17

18

Melba Kennon

19

Notary Public

20

21 My commission expires Aug 21 2002

22

23

24

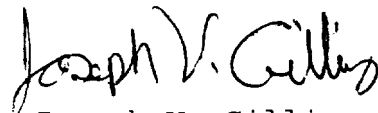
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C E R T I F I C A T E

CASE NAME: Ronald Brasher
DOCKET NUMBER: 00-156
DEPOSITION OF: Thomas R. Lewis
LOCATION: Dallas, Texas
DATE: December 1, 2000

I do hereby certify that the foregoing pages, numbers 1 through 34, inclusive, are the true, accurate, and complete transcript prepared from the verbal recording made by electronic recording by Joe V. Gillis before the Federal Communications Commission.



Joseph V. Gillis 12/07/00
(Transcriber) (Date)

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